

Message Text

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C O N F I D E N T I A L SECTION 1 OF 2 FREETOWN 0315

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TAGS: SHUM, SL

SUBJ: HUMAN RIGHTS AND AMNESTY INTERNATIONAL REPORT: MEETING
WITH ATTORNEY-GENERAL

REF: FREETOWN 0048

1. BEGIN SUMMARY: THE AMBASSADOR CALLED ON ATTORNEY-GENERAL MINAH TO EMPHASIZE US CONCERN FOR HUMAN RIGHTS OBSERVANCE AND THE PRIORITY IT HOLDS IN BILATERAL RELATIONS, TO DISCUSS THE AMNESTY INTERNATIONAL REPORT, AND TO SOLICIT MINAH'S VIEWS ON HOW BEST TO IMPROVE THE OBSERVANCE OF HUMAN RIGHTS IN SIERRA LEONE AS WELL AS THE WORLD'S IMAGE OF SIERRA LEONE'S COMMITMENT TO HUMAN RIGHTS. MINAH SPOKE WITH FORCE AND PASSION OF THE ATROCITIES COMMITTED BY THE OPPOSITION PARTY, THE ESSENTIAL NEED FOR ALL GOVERNMENTS TO MAINTAIN LAW AND ORDER AND THE INACCURACIES IN THE AMNESTY INTERNATIONAL REPORT. PRESIDENT STEVENS' ARDENT DESIRE, HE SAID, IS TO UNIFY THE COUNTRY AND STRESSED HIS CERTAINTY THAT STEVENS WANTS TO RELEASE DETAINEES AT THE EARLIEST DATE. MINAH SAID HE WOULD SEEK TO HAVE THE GOSL INVITE AMNESTY INTERNATIONAL TO WITNESS THE TRUE STATE OF HUMAN RIGHTS OBSERVANCE IN SIERRA LEONE AND WOULD SPEAK TO THE FOREIGN MINISTER ABOUT WAYS TO IMPROVE SIERRA LEONE'S IMAGE PROBLEM. END SUMMARY.

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2. THE AMBASSADOR CALLED ON ATTORNEY-GENERAL AND MINISTER OF JUSTICE FRANCIS MINAH JANUARY 24, TO OUTLINE THE USG VIEW OF HUMAN RIGHTS IN FOREIGN POLICY ALONG THE LINES OF THE SECRETARY'S APRIL 30 ADDRESS. THE AMBASSADOR NOTED GOSL EFFORTS TO MEET THE NEEDS OF THE RURAL POOR FOR FOOD, SHELTER, HEALTH CARE AND EDUCATION WITHIN ITS RESOURCES, BUT SAID THE USG HAS PROBLEMS WITH DETENTION OF INDIVIDUALS AND THE RES-

TRITIONS IMPOSED BY THE STATE OF EMERGENCY. THE AMBASSADOR EMPHASIZED THAT THE CARTER ADMINISTRATION PLACED THE OBSERVANCE OF HUMAN RIGHTS IN THE FOREFRONT OF CONSIDERATIONS INVOLVING BILATERAL RELATIONS AND NOTED THAT OTHER BODIES SUCH AS THE UN AND EEC WERE BECOMING INCREASINGLY AWARE OF AND CONCERNED ABOUT HUMANRIGHTS OBSERVANCE. HE ADDED THAT THE RENEWED LOME CONVENTION PROBABLY WOULD CONTAIN A HUMAN RIGHTS OBSERVANCE CRITERION AND THAT DISCUSSIONS HAD TAKEN PLACE IN THE UN ABOUT ESTABLISHING A HUMAN RIGHTS COORDINATOR FOR AFRICA.

3. THE AMBASSADOR ASKED MINAH IF HE HAD READ THE RECENT AMNESTY INTERNATIONAL REPORT AND UPON A NEGATIVE REPLY HANDED HIM A COPY, WHICH MINAH PROCEEDED TO READ. MINAH THEN POINTED OUT THAT THE AMNESTY INTERNATIONAL REPORT FACTUALLY WAS INCORRECT. THE AMBASSADOR NOTED THAT, ALTHOUGH THE REPORT ERRED IN PARTICULARS, THE FACT THAT INDIVIDUALS ARE UNDER DETENTION IS CORRECT. MINAH THEN SPOKE WITH FORCE AND PASSION AT CONSIDERABLE LENGTH OF THE LOOTING AND BURNING OF HIS OWN HOUSE IN PUJEHUN BY SLPP SUPPORTERS; THE DESTRUCTION OF PRIVATE PROPERTY OF OTHER APC SUPPORTERS BY THE SLPP; THE KILLING OF THE BROTHER OF DR. BANYA, UNSUCCESSFUL APC CANDIDATE FROM KENEMA; THE BURING OF LOCAL COURTHOUSES AND OTHER GOVERNMENT PROPERTY; THE BURING OF A VILLAGE INSTIGATED BY CHARLES MARGAI; OF THE MURDERS OF OTHER APC ADHERENTS; AND OF MANY OTHER EXAMPLES PREVIOUSLY REPORTED.

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4. WHEN MINAH RAN DOWN, THE AMBASSADOR SUGGESTED THAT AN INVITATION TO AMNESTY INTERNATIONAL TO CONDUCT AN IMPARTIAL INVESTIGATION COULD BE HELPFUL TO THE GOSL IN STRAIGHTENING OUT THE RECORD. MINAH SAID AMNESTY INTERNATIONAL NOW MUST BE CONSIDERED BIASED SINCE IT PUBLISHED THE REPORT WITHOUT VERIFYING DETAILS WITH THE GOVERNMENT. (FYI: WE HEAR AMNESTY INTERNATIONAL DID MAKE AN UNPUBLICIZED VISIT TO SIERRA LEONE IN AUGUST 1977 AND INTERVIEWED DETAINEES. POST WOULD APPRECIATE A COPY OF REPORT IF AVAILABLE.) HE MAINTAINED THAT THE HIGHEST DUTY OF GOVERNMENT WAS TO MAINTAIN LAW AND ORDER.

5. THE AMBASSADOR ASKED WHETHER APPLICATION OF CRIMINAL LAW TO THOSE ACCUSED WOULD NOT BE PREFERABLE TO THEIR DETENTION WITHOUT TRIAL UNDER THE PUBLIC EMERGENCY ACT. MINAH SAID THAT EFFECTIVE TRIALS WERE IMPOSSIBLE IN SOME CASES BECAUSE LOCAL POLICE HAD BEEN BRIBED BY THE OPPOSITION. HE ALSO SAID POLITICAL PASSIONS STILL RAN TOO HIGH IN PARTS OF THE COUNTRY AND THAT RELEASE OF SOME DETAINEES COULD RESULT IN THEIR DEATHS. HE WENT ON TO ELABORATE THAT IT WAS THE SLPP DURING THE REGIME OF ALBERT MARGAI WHO INITIATED DETENTIONS AND STATES OF EMERGENCY. HE SPOKE OF HOW PRIME MINISTER KAMARA-TAYLOR AND FOUR OTHER APC PARLIAMENTARIANS HAD BEEN

ARRESTED ON TRUMPED-UP CHARGES, SENTENCED TO PRISON FOR TWELVE MONTHS AND STRIPPED OF THEIR SEATS BY MARGAI. HE EMPHASIZED THAT DETAINEES WERE NOT SOLELY SLPP SUPPORTERS BUT ALSO INCLUDED APC SUPPORTERS WHO HAD NOT OBEYED THE PRESIDENT'S ORDER TO DESIST FROM VIOLENCE. HE SPECIFICALLY MENTIONED THE

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DETENTION OF FORMER APC PARLIAMENTARIAN SAM GOBA AND ALLUDED TO PENDING CRIMINAL CHARGES TO BE FILED AGAINST A FORMER MINISTER (AL HADJI JANNEH, FORMER RESIDENT MINISTER NORTHERN PROVINCE. SEE MEMO OF CONVERSATION OF MARCH 9, 1977 ON POLITICAL DISTURBANCE AT KAMBIA).

6. HE ADMITTED THAT HIS SIMULTANEOUS TITLES OF ATTORNEY-GENERAL AND MINISTER OF JUSTICE RAISED CHARGES OF POLITICAL BIAS IN CERTAIN CRIMINAL CASES SINCE IN MOST COMMONWEALTH COUNTRIES THE ATTORNEY-GENERAL WAS NON-POLITICAL. HOWEVER, HE SAID THAT IN THOSE CASES WHERE HE MIGHT BE SO CHARGED HE HAD ARRANGED FOR DISINTERESTED OUTSIDE LAWYERS TO PROSECUTE THE CASES. HE ASSURED THE AMBASSADOR THAT PRESIDENT STEVENS' SOLE AIM IS TO BRING THE COUNTRY TOGETHER SO HE COULD LEAVE A LEGACY OF DOMESTIC TRANQUILITY TO HIS SUCCESSOR. HE EMPHASIZED THAT THE PRESIDENT WAS RELEASING DETAINEES AT A RAPID RATE, CITING THE RECENT RELEASE OF MANA KPAKA AMONG OTHERS (FREETOWN 0096), AND ASSERTED THIS WAS EVIDENCE THAT THE STATE OF EMERGENCY WAS FORCED ON STEVENS.

7. THE AMBASSADOR AGAIN RAISED THE POSSIBILITY OF INVITING AMNESTY INTERNATIONAL TO CONDUCT AN IMPARTIAL INVESTIGATION IN SIERRA LEONE. NOW COMPLETELY CALM, MINAH SAID THAT AS A FORMER MINISTER OF FOREIGN AFFAIRS HE UNDERSTOOD THE ADVERSE IMPACT THE AMNESTY INTERNATIONAL REPORT WAS BOUND TO HAVE ON

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UNINFORMED GOVERNMENTS AND INDIVIDUALS AND RECOGNIZED THAT THE GOSL HAD DONE LITTLE OR NOTHING TO CORRECT THAT IMAGE. HE ASSURED THE AMBASSADOR HE WOULD UNDERTAKE TO TRY TO CONVINCE HIS MINISTERIAL COLLEAGUES TO INVITE AMNESTY INTERNATIONAL TO CONDUCT AN INVESTIGATION AND THAT HE WOULD CONSULT WITH THE MINISTER OF FOREIGN AFFAIRS ON WAYS TO IMPROVE SIERRA LEONE'S IMAGE AS AN OBSERVER OF HUMAN RIGHTS.

8. COMMENT: THE AMBASSADOR'S CALL MARKED THE BEGINNING OF THE EMBASSY'S ACTION PROGRAM TO BRING HUMAN RIGHTS PROBLEMS AND CONSIDERATIONS TO THE VERY TOP LEVEL OF THE GOSL. AFTER CAREFUL ANALYSIS OF THE LOCAL SITUATION IT WAS DECIDED THAT THE INITIAL CALL SHOULD BE MADE ON MINAH, THE GOSL'S CHIEF LEGAL OFFICER AND A FORMER MINISTER OF FOREIGN AFFAIRS. WE BELIEVE THE MEETING WAS VERY USEFUL. DURING THE CONVERSATION, ALTHOUGH MINAH RECOGNIZED IMMEDIATELY THE FOREIGN POLICY IMPLICATIONS OF THE AMNESTY INTERNATIONAL REPORT AND USG INTEREST IN SIERRA LEONE'S HUMAN RIGHTS OBSERVANCE, HE COULD NOT REFRAIN FROM BECOMING EMOTIONAL WHEN DISCUSSING THE EVENTS THAT TOOK PLACE DURING THE 1977 PRE-ELECTION PERIOD. THIS UNDERSCORES THE INTENSITY OF THE POLITICAL COMPETITION IN SO MANY NEWLY CREATED AFRICAN NATIONS WHOSE DIVERSE ELEMENTS HAVE YET TO ACHIEVE A CONSENSUS OF REGIONAL AND TRIBAL INTERESTS AND WHOSE INSTITUTIONS ARE FRAGILE. BECAUSE MINAH IS INTELLIGENT, WELL EDUCATED AND WELL INFORMED ON INTERNATIONAL EVENTS WE BELIEVE HE WILL UNDERTAKE TO DO WHAT HE SAID HE WOULD DO AND IN THE PROCESS EDUCATE HIS LESS WORLDLY AND EDUCATED COLLEAGUES THAT THE "EYE FOR AN EYE" CONCEPT IN TRADITIONAL AFRICAN POLITICS NO LONGER IS ACCEPTABLE TO THE WORLD. THE AMBASSADOR EXPECTS TO DISCUSS HUMAN RIGHTS WITH FOREIGN MINISTER CONTEH WITHIN THE NEXT TEN DAYS AS THE NEXT STEP IN THE PROCESS. END COMMENT. LINEHAN

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